

Adopted	Rejected
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COMMITTEE REPORT

YES:	6
NO:	3

MR. SPEAKER:

*Your Committee on Roads and Transportation, to which was referred House Bill 1576, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, line 3, after "(a)" insert **"This section does not apply to the**
- 2 **extent that it violates or is preempted by federal law.**
- 3 **(b)".**
- 4 Page 2, delete lines 1 through 5.
- 5 Page 2, line 6, delete "After the hearing, the" and insert **"The"**.
- 6 Page 2, between lines 10 and 11, begin a new paragraph and insert:
- 7 **"(d) A carrier operating in Indiana who willfully violates this**
- 8 **section is liable to the department for one (1) of the following**
- 9 **penalties:**
- 10 **(1) For the first violation, a penalty of at least one hundred**
- 11 **dollars (\$100) and not more than five hundred dollars (\$500).**
- 12 **(2) For a second violation that occurs not later than three (3)**
- 13 **years after the first violation, a penalty of at least five**
- 14 **hundred dollars (\$500) and not more than one thousand**

1 dollars (\$1,000).

2 **(3) For a third violation that occurs not later than three (3)**
3 **years after the first violation, a penalty of at least one**
4 **thousand dollars (\$1,000) and not more than five thousand**
5 **dollars (\$5,000).**

6 **(4) For a fourth violation that occurs not later than three (3)**
7 **years after the first violation, a penalty of at least five**
8 **thousand dollars (\$5,000) and not more than ten thousand**
9 **dollars (\$10,000).**

10 **A penalty under this section shall be recovered through a legal**
11 **action brought by the attorney general, or under the direction of**
12 **the attorney general, in the name of the state of Indiana on relation**
13 **of the Indiana department of transportation in the circuit or**
14 **superior court with jurisdiction in a county through which the**
15 **railroad is run or operated."**

16 Page 2, line 11, delete "(d)" and insert "(e)".
 (Reference is to HB 1576 as introduced.)

and when so amended that said bill do pass.

Representative Goodin